

## Exhibit W



DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C.

September 14, 2018

Re: 2018-09-072

Mr. Jonathan Manes  
Civil Liberties & Transparency Clinic  
University at Buffalo School of Law  
507 O'Brian Hall, North Campus  
Buffalo, NY 14260-110

Email: jmmanes@buffalo.edu

Dear Mr. Manes:

This letter acknowledges your Freedom of Information Act (FOIA) request submitted to the U.S. Department of the Treasury, dated September 10, 2018. Your FOIA request is outlined below:

- 1) Any reports, memoranda, summaries or similar documents arising out of an investigation, internal inquiry, audit, evaluation or other oversight activity that concerns hacking techniques or the use of equipment, software and/or technology that implements or facilitates hacking techniques.
- 2) And any records that the OIG relied upon in the course of preparing reports or other documents responsive to request (1) above.

I have initiated a search within Departmental Offices (DO), for records that would be responsive to your request. I will make every effort to provide you with a timely response; however, please be advised that unusual circumstances exist regarding the search for and review of potentially responsive records. The unusual circumstances are due to the consultation required between two or more program offices and/or a search is expected to result in voluminous records and/or a search is required to be conducted for records stored in field offices or warehouses off site; therefore, an additional processing extension of (10) days is required to process your request. As with all FOIA requests, I invite you to consider contacting our office to discuss limiting the scope of your request which could significantly reduce the processing time of your request.

We will review your request for a fee waiver once our office ascertains that the billable costs will exceed our \$25.00 billing threshold.

You have requested expedited processing. The FOIA states that “each agency shall promulgate regulations ... providing for expedited processing of requests for records.”<sup>1</sup> There are two categories of requests that merit expedited review under Treasury’s FOIA regulations: (1) requests for which a lack of expedited treatment “could reasonably be expected to pose an imminent threat to the life or physical safety of an individual;” or (2) where there is an “urgency to inform the public about an actual or alleged Federal Government activity”, if made by a person primarily engaged in disseminating information.”<sup>2</sup>

Based upon my review of the information contained in your request, and in consideration of the two factors identified above, I have determined to grant your request for expedited processing.

You may seek dispute resolution services from our Treasury FOIA Public Liaison by contacting Paul Levitan, Director, FOIA and Transparency at (202) 622-8098 or email [FOIAPL@treasury.gov](mailto:FOIAPL@treasury.gov).

A FOIA Public Liaison is a supervisory official to whom FOIA requesters can raise questions or concerns about the agency’s FOIA process. FOIA Public Liaisons can explain agency records, suggest agency offices that may have responsive records, provide an estimated date of completion, and discuss how to reformulate and/or reduce the scope of requests in order to minimize fees and expedite processing time.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may contact the agency directly at the following address, emails, fax or telephone numbers:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road – OGIS  
College Park, MD 20740-6001  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: 202-741-5770  
Toll free: 1-877-684-6448  
Fax: 202-741-5769

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<sup>1</sup> See 5 U.S.C. § 552(a)(6)(E)(i)

<sup>2</sup> See 31 CFR § 1.5(e)

You may reach me via telephone at 202-622-0930, extension 2; or via email at [FOIA@treasury.gov](mailto:FOIA@treasury.gov). Please reference the FOIA number at the top of this letter when contacting our office about this request.”

Sincerely,

*Cawana Pearson*

Cawana Pearson  
FOIA Case Manager, FOIA and Transparency  
Privacy, Transparency, and Records (PTR)